

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

E.T. by and through her parents and  
and next friends, et al.

*Plaintiffs,*

V.

Civil Action No. 1:21-cv-00717-LY

Mike Morath, in his official capacity as the  
Commissioner of the Texas Education  
Agency; the Texas Education Agency;  
and Attorney General Ken Paxton, in  
is official capacity as Attorney  
General of Texas,

*Defendants.*

**DEFENDANT ATTORNEY GENERAL KEN PAXTON IN HIS OFFICIAL CAPACITY’S NOTICE OF  
APPEAL**

Defendant Attorney General Ken Paxton, in his official capacity, hereby appeals to the United States Court of Appeals for the Fifth Circuit from the Court's Memorandum Opinion (ECF 82), and Permanent Injunction and Final Order (ECF 83) entered on November 10, 2021.

Respectfully submitted.

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*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I certify that on November 11, 2021, a true and correct copy of the foregoing document was served via the Court's CM/ECF system to all counsel of record.

/s/ Ryan G. Kercher

RYAN G. KERCHER

Assistant Attorney General